

5 May 1975

MEMORANDUM FOR: General Counsel

SUBJECT : Comments on OGC Working Paper
on CIA Functions, dated April 1975

1. This clearly is an improvement over the previous working paper produced by the OGC. It really covers two subjects: the responsibilities of the DCI and those of the CIA. The comments presented below follow the order of the subject paper.

Part I: As the senior intelligence officer of the USG, the DCI has at least four principal functions. These are: providing foreign intelligence for US policymakers; managing the Intelligence Community; protecting sources and methods; and managing intelligence relations with foreign governments. I suggest that Part I be structured accordingly and begin as follows:

I. The Director of Central Intelligence

A. The Director of Central Intelligence shall be the senior foreign intelligence officer of the United States Government and his responsibilities shall include:

1. Providing the National Security Council, other senior officials of the Executive Branch and the Congress, as appropriate, with authoritative information and intelligence assessments about foreign developments required for the formulation and implementation of national and defense policy.

2. Attaining the President's objectives for the Intelligence Community....

3. Protecting intelligence sources and methods (expanded appropriately).

4. Managing and providing guidance for intelligence relationships with foreign governments (to be supplied by DDO).

Part I-B: Most if not all of what appears in Part I-B is not really appropriate for law and should be covered by the NSCIDs.

Part II: I don't think it appropriate to have the USIB established by law; it would reduce the flexibility needed to respond to changing situations.

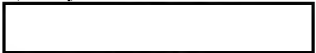
Part III: Somewhere in the law there should be a statement that the DCI also runs the CIA. Perhaps Part III is the appropriate place. The functions in Part III A and B seem appropriate for law, but those included in III C are more appropriately covered by NSCIDs. Parts III D and E will probably have to be included in the law.

2. With this current draft and comments received on it, the OGC should prepare a comprehensive revision of the present legislation so that we can all see how the new law might look. With this in hand, we should be able to decide on what should go forward.



EDWARD W. PROCTOR
Deputy Director for Intelligence

Original -- Hand carried to General Counsel

- 1 - DDO (Mr. Nelson)
- 1 - Mr. Knoche
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This paper outlines the functions of the Central Intelligence Agency which should be covered under either legislative or administrative authority. Also included are possible prohibitions on Agency activities. This has been prepared in the Office of General Counsel and has not been coordinated either within or without the Agency. The ideas presented in some cases have received very careful study over a period of time. Others are intended to provoke thinking and further study.

Office of General Counsel

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